

**SUBSTITUTE REISSUE APPLICATION DECLARATION BY
THE INVENTOR**Docket Number (Optional)
MTS-520US5#21
Suppl. Decd
7/24/04

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed

in patent number 5,761,301, granted June 2, 1998, and for which a

reissue patent is sought on the invention entitled MARK FORMING APPARATUS, METHOD OF FORMING LASER
MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING
OPTICAL DISK,

the specification of which

☐ is attached hereto.

☒ was filed on December 7, 2001 as reissue application number 10/017,973
with amendments as filed up to this date.

I have reviewed and understand the contents of the above identified specification, including the claims,
as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in
37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described
below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows: See Attachment.

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Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, VA 22313-1450.

Attachment to PTO/SB/51 (12-97)
Reissue Application Declaration by the Inventor

At least one error upon which reissue is based is described as follows:

During the prosecution of the application that issued as the above patent, the inventors did not recognize that the features disclosed in the patent in Figs. 1 and 13A were appropriate to claim. As such, the inventor's did not claim all that they had a right to claim. This error was made without deceptive intent. Specifically, the inventors did not claim any one or more of the features of an information recording layer formed between a first substrate and a second substrate, the information recording layer has a track of a spiral shape, a data recording area and a barcode pattern are formed on the track, and the data recording area and barcode pattern are readable by light radiation.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which the priority date is claimed:

Prior Foreign Application(s)

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>
6-283415	Japan	17/November/1994
7-016153	Japan	02/February/1995
7-261247	Japan	09/October/1995